## EXHIBIT 3



## U.S. Department of Justice

United States Attorney Southern District of New York

The Silvio J. Mollo Building One Saint Andrew's Plaza New York, New York 10007

February 7, 2018

## **BY E-MAIL**

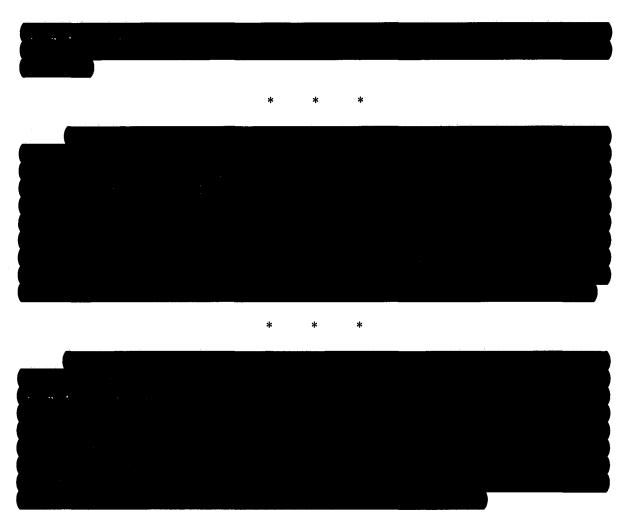
Michael Steven Schachter Willkie Farr & Gallagher, LLP 787 Seventh Avenue New York, NY 10019

Re: United States v. James Gatto, 17 Cr. 686 (LAK)

Dear Counsel:

We write to disclose the following, all of which (with the exception of any publicly available documents referenced herein), consistent with our email correspondence of December 18, 2017, constitutes Confidential Information subject to the protective order entered in this case by the Honorable Lewis A. Kaplan on November 28, 2017:

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The Government recognizes its obligations under *Brady* v. *Maryland*, 373 U.S. 83 (1963), and its progeny. The Government will provide timely disclosure if any such material comes to light. The Government will also provide material under *Giglio* v. *United States*, 405 U.S. 150, 154 (1972), and its progeny, in a timely manner prior to trial.

Very truly yours,

ROBERT S. KHUZAMI Acting United States Attorney

By: /s/
Edward B. Diskant/Noah Solowiejczyk
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